

## Plaintiff's Trial Exhibit 8

Attendance Policy No: 5.02

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**Policy No: 5.02**

**Subject:** Attendance Policy  
**Supersedes:** All existing corporate and business unit attendance and tardiness policies as noted in section 2.0  
**Effective:** January 1, 1999  
**Revised:** September 1, 2009  
**Reviewed:** September 1, 2009  
**Approved by:** Human Resources Executive Team (HRET)

**1.0 Philosophy/Purpose**

Henry Ford Health System recognizes the need to balance employees' unforeseen personal and medical situations along with the operational needs of the System. The purpose of this policy is to establish and communicate the guidelines for attendance and tardiness in order to provide quality service to Henry Ford Health System patients, customers, members and others. To this end, HFHS facilities and offices must be adequately staffed during all hours of operation and HFHS expects that all employees will consistently report for work, and start work on time.

**2.0 Scope**

This policy applies to all non-management employees at the following business units:

- Behavioral Services (includes Kingswood Hospital)
- Community Care Services (excluding Continuing Care Services)
- Corporate Offices
- Detroit Hospital
- Medical Group
- HF Wyandotte Hospital
- HF West Bloomfield Hospital

Contingent employees are not covered under this policy. Part-time employees may have their absenteeism and tardiness pro-rated in accordance with their regularly scheduled hours.

The policy and procedures enumerated below shall apply unless such policy or procedures are otherwise specified in a contract to which Henry Ford Health System, or a covered business unit, is a signatory. In such cases, the terms of the contract shall govern for employees covered by that contract, and such terms will take precedence over this policy. This policy does not apply to employees within their introductory period.

**3.0 Responsibility**

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The interpretation, administration and monitoring for compliance of this policy shall be the responsibility of the Senior Vice President of Human Resources or his/her designee.

#### **4.0 No-Fault Policy**

To balance the health care and business needs of HFHS and the personal needs of employees, HFHS practices a no-fault attendance and tardiness policy. This practice assumes that all unscheduled absences and tardies are for important reasons; however, when their amount and/or frequency becomes excessive, the attendance or tardiness problem will be addressed through progressive corrective action, up to and including termination of employment.

The following types of time off will not be considered for corrective action purposes, provided that appropriate reporting requirements have been met:

- Bereavement
- Approved CTO
- Jury duty or court time
- Military leave
- Work-related injury
- Family Medical Leave Act (FMLA) time
- Approved leaves of absence (Personal and Medical Leaves Non-FMLA Eligible)

#### **5.0 Practice/Procedure**

##### **5.1 Definition of an Attendance Occurrence and FMLA**

An employee who does not report to work as scheduled for one (1) or more consecutive working days will receive an occurrence.

An employee is eligible for consideration for time off from work under The Family Medical Leave Act provided the employee has worked at HFHS for at least twelve (12) months and worked a minimum of 1,250 hours.

- Whether an employee's circumstances are FMLA qualifying and covered by the statute is a determination made on a case by case basis.
- HFHS may conditionally designate a leave as a FMLA leave after the completion of three (3) days of consecutive absence. Intermittent FMLA or non-FMLA medical may be designated upon each occurrence. An employee eligible for FMLA time may utilize up to twelve (12) weeks of time per rolling calendar year.

- It is the responsibility of the employee's manager to notify an employee who has been absent due to an illness for more than three (3) days, or to notify an employee who otherwise has a "serious medical condition" of the employee's ability to submit a FMLA leave claim through CIGNA Leave Solutions for their absence. Please reference HR Policy 7.02, Leave of Absence, for further details on filing a FMLA claim.

## **5.2 Definition of a Tardiness Occurrence:**

An employee is considered tardy when she/he is not at their assigned work area, ready to work, at the start of their scheduled shift. Being on time to work does not mean getting in the door or returning from break at the scheduled starting time and then taking additional time for personal needs before going to the workstation. A half an occurrence is assessed for up to ½ hour tardy. A whole occurrence is assessed for over ½ hour tardy. This also applies to leaving early or returning late from lunch or breaks. HFHS does not provide for grace periods.

## **5.3 Administration of Corrective Action**

Attendance and tardiness occurrences are combined for the purpose of counting of occurrences. In addition, all corrective action, including corrective action initiated for performance issues, are on one (1) track. If an employee has received corrective action for an issue in the last year (rolling calendar), attendance/tardy occurrences will be addressed at the next level of corrective action

Each Corrective Action shall remain valid for 12 months from the date of the discipline. Once an employee has received a corrective action at one step, if another incident necessitating progressive corrective action occurs within 12 months, it shall be applied at the next higher step.

## **5.4 Attendance and Tardiness Resulting in Corrective Action**

For the purpose of attendance, an occurrence can be a single day (if only one day is used) or a collection of consecutive days. For purposes of tardiness, an occurrence is a single event. The initial number of absences and tardies that are subject to the corrective action process is as follows:

- 3 occurrences in 30 days
- or -
- 4 occurrences in 90 days or
- or -
- 7 occurrences in 180 days (6 mos.) (rolling calendar)



If a supervisor documents a pattern of unscheduled attendance and tardiness (such as absences that are consistently in conjunction with scheduled days off, holidays, weekends, etc.), the supervisor may, in consultation with Human Resources, initiate corrective action at the appropriate step, even though the employee's attendance or tardiness record may not otherwise warrant corrective action.

Employees who are in violation of the attendance and tardiness standards will receive corrective action as outlined in the corrective action policy (policy #5.17)

#### **5.5 Absence Documentation**

Employees who are unable to work due to illness may be required to submit a physician's note verifying the illness and that the employee is able to return to work.

#### **5.6 Employee Notification of an Absence**

Each department shall develop and communicate the process for call-ins. In addition, each department shall determine the appropriate notification timeframe for an absence. If the employee fails to call in during that time, it shall constitute a no call/no show occurrence. One no call/no show of a scheduled shift will result in a written warning or, if the employee is already in the corrective action track, the next level of corrective action will be issued. Three (3) consecutive no call/no show of scheduled shifts will be considered a voluntary resignation by the employee.

#### **5.7 CTO Approval**

Each department shall develop and communicate the process for scheduled CTO approval. Paid time off shall be counted as occurrences if the departmental approval process is not followed.

#### **5.8 Overstaying Break Time**

Returning late from a break for a period greater than 1 hour will be considered to be a serious impediment to appropriate staffing levels and may be cause for immediate corrective action. Returning from break less than 1 hour tardy will result in an occurrence of tardiness.

#### **5.9 HFHS' Discretion to Modify Policy**

Henry Ford Health System periodically reviews and revises its policies, and this policy, as with all others, is subject to change at HFHS' discretion without prior notice. This policy supersedes all prior written policies on this subject.

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The provisions in this policy furthermore do not in any way modify the at-will employment relationship. Employment at HFHS is at-will and without assurance of continuation. Employment can therefore be terminated either by the employee or by HFHS, with or without cause and with or without notice at any time.

Notwithstanding any express statements by the Chief Executive Officer of HFHS to the contrary, progressive corrective action is not required and these standards do not modify the at-will employment relationship stated herein. The nature of this at-will employment relationship cannot be modified or altered except by a written document signed by the Chief Executive Officer of the Corporation. See also Employment Statement Policy 3.02.

**Attachments to HR Policy 5.02**

None

See also:

"No Call/No Show" Policy 5.03  
Corrective Action Program 5.17  
Employment Statement 3.02  
Leave of Absence Policy 7.02  
Introductory Period 4.01